

**Cause Number** 4:24-CV-002805

SECURITIES AND EXCHANGE COMMISSION

**Plaintiff**

3A

*Court Number*

- ☒ District Court  
☐ County Court at Law  
☐ Justice Court (JP)

**VS**

THOMAS SAN MIGUEL

HARRIS

County, Texas

**Defendant**

## **Defendant's Answer**

### **1. Defendant's Information**

My name is Thomas San Miguel. I am the Defendant in this Case.

The last three numbers of my driver's license number are 016. My driver's license was issued in Texas.

The last three numbers of my social security number are 649.

### **2. General Denial**

*Texas Rules of Civil Procedure Rule 92*

I enter a general denial.

I request notice of all hearings in this case

### 3. Specific Pleas Made Under Penalty of Perjury

I make the following specific pleas under penalty of perjury:

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### 4. Affirmative Defenses

Read Texas Rules of Civil Procedure Rule 94 for a list of affirmative defenses. Ask a lawyer which affirmative defenses apply to your case.

*Note: An affirmative defense is an independent reason that the Plaintiff should not win the lawsuit. If an affirmative defense is successful you could win the lawsuit, even if what the Plaintiff says is true. If you file an answer and do not claim an affirmative defense, you may forever give up that defense.*

I claim the affirmative defenses checked below:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> accord and satisfaction | <input type="checkbox"/> estoppel                 | <input type="checkbox"/> license                |
| <input type="checkbox"/> arbitration and award   | <input type="checkbox"/> failure of consideration | <input type="checkbox"/> release                |
| <input type="checkbox"/> assumption of risk      | <input type="checkbox"/> fraud                    | <input type="checkbox"/> res judicata           |
| <input type="checkbox"/> contributory negligence | <input type="checkbox"/> illegality               | <input type="checkbox"/> statute of frauds      |
| <input type="checkbox"/> discharge in bankruptcy | <input type="checkbox"/> injury to fellow servant | <input type="checkbox"/> statute of limitations |
| <input type="checkbox"/> duress                  | <input type="checkbox"/> laches                   | <input type="checkbox"/> waiver                 |

- ☐ I already paid the debt sued for. I paid \$ \_\_\_\_\_ to \_\_\_\_\_  
on \_\_\_\_\_ by \_\_\_\_\_.  
(date) (check, cash, etc.)

Write any other details regarding payment of the debt here:

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- ☐ I also claim these additional affirmative defenses:

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I reserve the right to file an *Amended Defendant's Answer* with the Court to plead additional verified pleas, affirmative defenses and claims, cross-claims or third-party claims, as applicable, after further investigation and discovery.

### 5. Request for Judgment

I ask that Plaintiff take nothing from this lawsuit. I ask for costs of court. I ask for such other and further relief, at law or in equity, to which I may be justly entitled.

Respectfully submitted,

  
 Defendant's Signature 9-30-2024  
Date  
Thomas San Miguel 903 720 9935  
 Defendant's Printed Name Phone  
13151 Walden Rd #113 Montgomery TX 77356  
 Mailing Address City State Zip  
 Email: tommy.sanmiguel@yahoo.com Fax # (if available) —

I understand that I must let the Court, the Plaintiff's lawyer (or the Plaintiff if the Plaintiff does not have a lawyer), and any other party or lawyer in this case know in writing if my mailing address or email address changes during this case. If I don't, any notices about this case will be sent to me at the mailing address or email address on this form.

### 6. Unsworn Declaration Made Under Penalty of Perjury

I make this unsworn declaration under penalty of perjury in place of verification as allowed by Texas Civil Practices and Remedies Code Section 132.001.


My name is: Thomas San Miguel Jr.  
First Middle Last

My date of birth is: 12 / 30 / 1967  
Month Day Year

My address is: 13151 Walden Rd #113 Montgomery TX 77356 USA  
Street Address City State Zip Code Country

I declare **under penalty of perjury** that: 1) I am the Defendant in this case, 2) I have read this *Defendant's Answer*, and 3) the statements in this *Defendant's Answer* are within my personal knowledge and are true and correct. I understand that it is a crime to lie on this form.

Formally signed **under penalty of perjury** in Montgomery County, Texas,  
County State  
 on this date: 9 / 30 / 2024  
Month Day Year

  
 Defendant's Signature

**7. Certificate of Service**

I certify that a copy of this document was delivered to the Plaintiff's lawyer or the Plaintiff (if the Plaintiff does not have a lawyer) on the same day this document was filed with (turned in to) the Court as follows: *(Check one.)*

- ☒ through the electronic file manager if this document is being filed electronically
- ☐ by certified mail, return receipt requested
- ☐ by fax, to fax # \_\_\_\_\_
- ☐ by personal delivery
- ☐ by email to this email address: \_\_\_\_\_

  
Defendant's Signature

9-30-2024  
Date